

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARTHA BERNDT, ET AL,

Case No. C 03-03174 PJH (JCS)

Plaintiff(s),

v.

**ORDER GRANTING IN PART,
DENYING IN PART JOINT LETTER
[docket no. 421]**

CALIFORNIA DEPARTMENT OF
CORRECTIONS, ET AL,

Defendant(s).

On June 24, 2011, the Court held a telephonic discovery conference as to the Joint Discovery Letter filed on June 10, 2011 [docket no. 421]. Stephen Ralston, counsel for Plaintiffs, appeared. Lyn Harlan and Kathryn Allen, counsel for Defendants, appeared. For the reasons stated on the record and good cause appearing,

IT IS HEREBY ORDERED that:

1. Defendant's motion to compel further responses from Plaintiffs Jeffries, Boyd and Morin in response to Interrogatories 21-22 is DENIED without prejudice to posing these interrogatories again during merits discovery.
2. Defendant's motion to compel further production of documents from Plaintiffs Jeffries, Boyd and Morin in response to Document Requests Nos. 1 and 2 is GRANTED in part. Plaintiffs shall produce, on an attorneys' eyes only basis, their fee agreements with proposed class counsel.
3. Defendant's motion to compel further production of documents from Plaintiff Jeffries, in response to Document Request No. 3 is GRANTED in part. Plaintiff shall

1 produce bates stamped copies of all documents produced at her deposition, and all
2 document responsive to Request No. 3 on or before **June 30, 2011**.

3 4. Defendant's motion to compel further production of documents from Plaintiff Jeffries
4 in response to Document Requests Nos. 4-15 is GRANTED. Plaintiff shall produce
5 all document responsive to these requests on or before **June 30, 2011**.

6 5. Defendant's motion to compel further responses from Plaintiff Boyd in response to
7 Interrogatory 5 is DENIED.

8 6. Defendant's motion to compel further production of documents from Plaintiff Boyd
9 in response to Document Requests Nos. 4-15 is GRANTED. Plaintiff shall produce
10 all documents responsive to these requests on or before **June 30, 2011**.

11 7. Defendant's motion to compel further responses from Plaintiff Morin in response to
12 Interrogatories 5 and 7-18 is DENIED.

13 8. Defendant's motion to compel further production of documents from Plaintiff Morin
14 in response to Document Requests Nos. 4-10 and 13-19 is DENIED.

15 9. Plaintiffs are required, when producing documents in response to this order or in
16 response to document requests, to produce all documents in their custody or control.
17 This shall include documents on their work computer at the CDCR, if they still have
18 access to their work computer. Alternatively, with respect to such a computer, the
19 plaintiff may, through counsel, notify the CDCR where on their work computer
20 responsive documents may be located and the CDCR may access the computer itself.
21 This order is without prejudice to any rights that the CDCR may have to access the
22 work computers of its employees. All parties shall promptly produce a log of all
23 materials withheld on the basis of any privilege.

24 10. Except as expressly granted herein, the Motion is Denied.

25 IT IS SO ORDERED.

26 Dated: June 24, 2011

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JOSEPH C. SPERO
United States Magistrate Judge